



ALAN J. DIXON
Secretary of State

(INDEX DIVISION)
(RULES SECTION)

ILLINOIS REGISTER

Rules and Regulations of Governmental Agencies

VOLUME NUMBER ONE

EDITOR
WILLIAM H. MINICK
INDEX DEPARTMENT
RULES SECTION

ISSUE NUMBER SIXTEEN

490 CENTENNIAL BUILDING
SPRINGFIELD, IL 62756
PHONE: 217 - 782-9786
217 - 782-8570

WEEKLY PUBLICATION

ISSUE DATE - OCTOBER 14, 1977

TABLE OF CONTENTS

LEWIS UNIVERSITY
COLLEGE OF LAW LIBRARY

NOV 14 1977

ILLINOIS STATE
DOCUMENT DEPOSITORY

DEPARTMENT OF FINANCIAL INSTITUTIONS

Page

Proposed adoption of rules of practice and procedure to be followed in the formulation and issuance of schedules of maximum rates for check cashing and writing of money orders by community and ambulatory currency exchanges. 1

NOTICE

AS OF THIS DATE THE ILLINOIS REGISTER, PUBLISHED PURSUANT TO THE ILLINOIS ADMINISTRATIVE PROCEDURE ACT, IS APPLICABLE ONLY TO THE FOLLOWING STATUTES AND DEPARTMENTS IN PART.

EFFECTIVE JANUARY 1, 1978 THE ACT WILL APPLY TO ALL STATE AGENCIES.

Department on Aging		
1. Illinois Act on the Aging (Chapter 23, Paragraph 6105.02)	11. Illinois Water Well Construction Code (Chapter 111½, Paragraph 116.118)	(Chapter 114½, Paragraph 117.1)
Capital Development Board		
1. Capital Development Board Act (Chapter 127, Paragraph 783a)	12. Illinois Water Well Pump Installation Code (Chapter 111½, Paragraph 116.159)	2. Land Surveyors Act (Chapter 133, Paragraph 36.1)
Department of Children and Family Services		
1. Act creating the Department of Children and Family Services (Chapter 23, Paragraph 5004)	13. Private Sewage Disposal Licensing Act (Chapter 111½, Paragraph 116.324)	3. Business of Horseshoeing (Chapter 66, Paragraph 14b)
Dangerous Drug Commission		
1. "Dangerous Drug Abuse Act" (Chapter 91½, Paragraph 120.13)	14. Control and supervision over public water supplies (Chapter 111½, Paragraph 121b1)	4. Detection of deception examiners (Chapter 38, Paragraph 202.1)
Commission on Delinquency Prevention		
1. Illinois Commission on Delinquency Prevention Act (Chapter 23, Paragraph 2710)	15. Impounding Dispositions of stray animals (Chapter 111½, Paragraph 134.1)	5. Detectives and Detective Agencies (Chapter 38, Paragraph 201.4b)
State Board of Education		
1. School Code (Chapter 122, Paragraph 1A-7)	16. Hospital Licensing Act (Chapter 111½, Paragraph 147.2)	6. Dental surgery and dentistry (Chapter 91, Paragraph 57b)
Board of Higher Education		
1. An act in relation to the Board of Higher Education (Chapter 144, Paragraph 193)	17. Ambulatory Surgical Treatment Center Act (Chapter 111½, Paragraph 157-8.10a)	7. Certified Shortland Reporters Act (Chapter 37, Paragraph 757.5)
Department of Financial Institutions		
1. Community currency exchanges (Chapter 16½, Paragraph 49.3)	18. Illinois Migrant Labor Camp Law (Chapter 111½, Paragraph 185.13B)	8. Collection Agency Act (Chapter 121½, Paragraph 809.22)
Department of Insurance		
1. Illinois Insurance Code (Chapter 73, Paragraph 1019.1)	19. Radiation Protection Act (Chapter 111½, Paragraph 218.15)	9. Beauty Culture Act (Chapter 16-3/4, Paragraph 18b)
Liquor Control Commission		
1. An act relating to alcoholic liquors (Chapter 43, Paragraph 108a)	20. Personal radiation monitoring service (Chapter 111½, Paragraph 230.14)	10. Barber Law (Chapter 16-3/4, Paragraph 14.40a)
Department of Mental Health		
1. Mental Health Code of 1967 (Chapter 91½, Paragraph 12-10)	21. Uniform Hazardous Substances Act (Chapter 111½, Paragraph 253b)	11. Athletic Exhibition Registration Act (Chapter 10.4/5, Paragraph 108.1)
2. An Act codifying the powers and duties of the Department of Mental Health and Developmental Disabilities (Chapter 91½, Paragraph 100-5)	22. Illinois Poison Prevention Packaging Act (Chapter 111½, Paragraph 297)	12. Pharmacy Practice Act (Chapter 91, Paragraph 55.3-1)
3. Mentally deficient persons (Chapter 91½, Paragraph 213)	23. Youth Camp Act (Chapter 111½, Paragraph 549.21a)	13. Optometric Practice Act (Chapter 91, Paragraph 105.6-1)
4. Community Mental Health Act (Chapter 91½, Paragraph 308.1)	24. Illinois Blood Bank Act (Chapter 111½, Paragraph 608-108)	14. Nursing Act (Chapter 91, Paragraph 35.36a)
5. Alcoholism and Intoxication Treatment Act (Chapter 91½, Paragraph 510.01)	25. Blood Labeling Act (Chapter 111½, Paragraph 620-10)	15. Medical Practice Act (Chapter 92, Paragraph 1a)
6. Specialized Living Centers Act (Chapter 91½, Paragraph 603.06)	26. Illinois Clinical Laboratory Act (Chapter 111½, Paragraph 628-108)	16. Nursing Home Administrators Licensing Act (Chapter 111½, Paragraph 35.133)
Department of Public Aid		
1. Illinois Public Aid Code (Chapter 23, Paragraph 12-13)	27. Registration of laser systems (Chapter 111½, Paragraph 709)	17. Physical Therapy Registration Act (Chapter 91, Paragraph 22.3-1)
Department of Public Health		
1. An act in relation to Public Health (Chapter 111½, Paragraph 22)	28. Mobile Home and Mobile Home Park Act (Chapter 111½, Paragraph 732.1)	18. Physician's Assistants Practice Act (Chapter 91, Paragraph 212.1)
2. Prophylactic medicines to indigent rheumatic fever patients (Chapter 111½, Paragraph 22.2)	29. Recreational Area Licensing Act (Chapter 111½, Paragraph 786.1)	19. Practice of Podiatry (Chapter 91, Paragraph 73b)
3. Prevention of certain communicable diseases (Chapter 111½, Paragraph 22.13)	30. Regulation of mass gatherings (Chapter 111½, Paragraph 911.1)	20. Professional Engineering Act (Chapter 48½, Paragraph 37.1)
4. Chronic renal diseases (Chapter 111½, Paragraph 22.33.01)	31. Lead Poisoning Prevention Act (Chapter 111½, Paragraph 1313.1)	21. Medical Corporation Act (Chapter 32, Paragraph 648)
5. Anti-polio vaccine (Chapter 111½, Paragraph 22b)	32. Prevention of Developmental Disabilities (Chapter 111½, Paragraph 2113)	22. Professional Service Corporation Act (Chapter 32, Paragraph 415-18)
6. Nursing homes, sheltered care homes and homes for the aged (Chapter 111½, Paragraph 35.16b)	33. Swimming Pool and Bathing Beach Act (Chapter 111½, Paragraph 1224.1)	23. Psychologist Registration Act (Chapter 91½, Paragraph 408.1)
7. Vital Records Act (Chapter 111½, Paragraph 73-3.1)	34. Structural Pest Control Act (Chapter 111½, Paragraph 2223.1)	24. Sanitarian Registration Act (Chapter 111½, Paragraph 574)
8. Registration of marriages, divorces and annulments (Chapter 111½, Paragraph 73-53.1)	35. Bulk Milk Tank Operators Licensing Act (Chapter 111½, Paragraph 239.04-4)	25. Public Accounting (Chapter 110½, Paragraph 26.1)
9. Hospitals to render hospital emergency service (Chapter 111½, Paragraph 86.6)	36. Illinois Food Drug and Cosmetic Act (Chapter 111½, Paragraph 522.1)	26. Social Workers Registration Act (Chapter 23, Paragraph 5302.1)
10. Illinois Plumbing License Law	37. Prevent the preparation, manufacture, packing storing or distribution of food intended for sale, or the sale of food under unsanitary, unhealthful or unclean conditions (Chapter 56½, Paragraph 77.1)	27. Real Estate Brokers and Salesmen License Act (Chapter 114½, Paragraph 125)
	38. Distribution of pasteurized milk and pasteurized milk products (Chapter 56½, Paragraph 130.1)	28. Structural Engineering Act (Chapter 131½, Paragraph 3b)
	39. Grade A Milk and Grade A Milk Products (Chapter 56½, Paragraph 217.1)	29. Tree experts (Chapter 5, Paragraph 125)
	40. Family Practice Residency Act (Chapter 111½, Paragraph)	30. Veterinary Medicine and Surgery Practice Act (Chapter 91, Paragraph 124.27)
	41. Program for the care of persons suffering from leishmaniasis (Chapter 111½, Paragraph)	31. Weather Modification Control Act (Chapter 146.3/4, Paragraph 33)
	42. Structural Pest Control Act (Chapter 111½, Paragraph 2225)	32. Funeral directing and embalming (Chapter 111½, Paragraph 73.21a)
	43. High Blood Pressure Control Act (Chapter 111½, Paragraph)	33. Architectural Act (Chapter 10½, Paragraph 4b)
	44. Health Facilities Planning Act (Chapter 111½, Paragraph 1168)	34. Controlled Substances Act (Chapter 56½, Paragraph 1501.1)
	45. Home Health Agency Licensing Act (Chapter 111½, Paragraph)	
Department of Registration and Education		
1. Real Estate Brokers and Salesmen License		Savings and Loan Commission
		1. Regulation of mortgage bankers (Chapter 16½, Paragraph)
		Board of Vocational Rehabilitation
		1. Vocational Rehabilitation of Disabled Persons (Chapter 23, Paragraph 1434a)

NOTICE BY THE DEPARTMENT OF FINANCIAL INSTITUTIONS
OF THE STATE OF ILLINOIS
OF THE ADOPTION OF RULES OF PRACTICE AND
PROCEDURE TO BE FOLLOWED IN THE
FORMULATION AND ISSUANCE OF
SCHEDULES OF MAXIMUM
RATES FOR CHECK
CASHING AND
WRITING OF MONEY
ORDERS BY COMMUNITY
AND AMBULATORY
CURRENCY EXCHANGES

NOTICE

PLEASE TAKE NOTICE THAT pursuant to Section 19.3 of The Currency Exchange Act of Illinois (Illinois Revised Statutes Chapter 16 1/2; §49.3); and Sections 5, 8 and 17 of the Illinois Administrative Procedure Act (Illinois Revised Statutes Chapter 127; §§ 1005, 1008 and 1017), the Director of the Department of Financial Institutions of the State of Illinois will formulate and issue "Rules of Practice and Procedure of the Department of Financial Institutions To Be Followed in the Formulation and Issuance of Schedules of Maximum Rates for Check Cashing and Writing of Money Orders by Community and Ambulatory Currency Exchanges."

PLEASE TAKE FURTHER NOTICE THAT pursuant to Section 6 of the Illinois Administrative Procedure Act (Illinois Revised Statutes Chapter 127; §1006) the final text of said "Rules of Practice and Procedure" will be adopted and issued by the Director of the Department of Financial Institutions and filed with the Secretary of State on November 28, 1977. Said Rules will become effective on December 2, 1977 pursuant to Section 6 (c) 2 of the Illinois Administrative Procedure Act (Illinois Revised Statutes, Chapter 127; §1006(c) 2).

DESCRIPTION OF THE SUBJECT
MATTER AND ISSUES INVOLVED

The proposed "Rules of Practice and Procedure of the Department of Financial Institutions to be Followed in the Formulation and Issuance of Schedules of Maximum Rates for Check Cashing and Writing of Money Orders by Community and Ambulatory Currency Exchanges", the full text of which is set forth hereafter, cover the following subject matter and issues:

1. Procedures and criteria to be followed by the Director of the Department of Financial Institutions in establishing maximum rate schedules for the cashing of checks and writing of money orders by community and ambulatory currency exchanges;

-
2. Prohibition against and penalties for charging more than the rates set forth in the maximum rate schedule;
 3. Procedures to be followed for charging less than the applicable maximum fee schedule;
 4. Requirements for the posting display of fee schedules on the premises of community currency exchanges and at the locations served by ambulatory currency exchanges;
 5. Prohibitions against and sanctions for charging more than posted fees; and
 6. The form and procedure for the submission, consideration and disposition of petitions filed by interested parties requesting the promulgation of new Rules or the amendment or repeal of any of the Rules set forth hereafter;

TIME, PLACE AND MANNER IN WHICH ALL INTERESTED
PERSONS MAY PRESENT THEIR VIEWS CONCERNING THE
ADOPTION OF RULES OF PRACTICE AND PROCEDURE OF
THE DEPARTMENT OF FINANCIAL INSTITUTIONS TO BE
FOLLOWED IN THE FORMULATION AND ISSUANCE OF
SCHEDULES OF MAXIMUM RATES FOR CHECK CASHING
AND WRITING OF MONEY ORDERS BY COMMUNITY AND
AMBULATORY CURRENCY EXCHANGES

On November 21, 1977 in Room 1818, State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois from 9:00 AM to 12:30 PM and from 1:30 PM to 5:00 PM, the Director of Financial Institutions will conduct a hearing with respect to the aforesaid Rules of Practice and Procedure, the full text of which is set forth hereafter.

At that time and place, interested persons may appear and orally present their views, comments, data and arguments under oath concerning the promulgation of these proposed Rules of Practice and Procedure. Any interested person desiring to offer his or her views, comments, data or arguments with respect to said proposed Rules of Practice and Procedure orally under oath on November 21, 1977 must submit a notice of his or her intention to do so in writing to the Director of the Department of Financial Institutions. Such notice may be filed in person or by mail with the Director of the Department of Financial Institutions either at the State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois, 60601 or at 227 South Seventh Street, Springfield,

Illinois 62706. Such notice must be received by the Director no later than 5:00 PM on November 16, 1977. Any person who fails to file a timely notice will not be permitted to offer oral views, comments, data or arguments on November 21, 1977.

In lieu of offering oral testimony on November 21, 1977, or as a supplement to that oral testimony, any interested person may submit in writing his or her views, comments, data or arguments concerning the promulgation of these proposed Rules of Practice and Procedure to the Director of the Department of Financial Institutions. Written submissions may be filed in person or by mail with the Director of the Department of Financial Institutions, either at The State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois 60601, or at 227 South Seventh Street, Springfield, Illinois 62706. No written submission will be considered by the Director unless it is received prior to 5:00 PM on November 21, 1977.

The Director will fully consider all oral and written submissions meeting the above requirements before adopting, issuing and filing the final text of the Rules of Practice and Procedure with the Secretary of State on November 28, 1977.

The Rules of Practice and Procedure as issued, adopted and filed will take effect on December 2, 1977. Hearings on rate-making pursuant to said Rules will take place on January 9 and 10, 1978 from 9:00 AM to 12:30 PM; and from 1:30 PM to 5:00 PM in Room 1818, State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois. On January 23, 1978, the Director will then issue and adopt the maximum rates for check cashing and writing of money orders and file said rates with the Secretary of State. The rates will be effective on February 2, 1978.

COMPLETE TEXT OF
PROPOSED RULES

TITLE: Rule of Practice and Procedure of the Department of Financial Institutions to be Followed in the Formulation and Issuance of Schedules of Maximum Rates for Check Cashing and the Writing of Money Orders by Community and Ambulatory Currency Exchanges.

ARTICLE I:

AUTHORITY

These rules are issued by the Director of the Department of Financial Institutions (hereinafter referred to as the "Director") pursuant to Sections 19.3 of the Currency

Exchange Act (Illinois Revised Statutes, Chapter 16 1/2; § 49.3) and Sections 5, 8 and 17 of the Illinois Administrative Procedure Act (Illinois Revised Statutes, Chapter 127; §§ 1005, 1008 and 1017).

ARTICLE II:

PURPOSES

Pursuant to the authority set forth in Article I, these Rules accomplish the following purposes:

- A. Establish the procedures and criteria to be followed by the Director in establishing maximum rate schedules for the cashing of checks and writing of money orders by community and ambulatory currency exchanges.
- B. Establish the procedures to be followed for charging less than the applicable maximum fee schedule;
- C. Establish requirements for the display of fee schedules on the premises of community currency exchanges and at

the location served by ambulatory
currency exchanges.

D. Establish the form and procedure
for the submission, consideration and
disposition of petitions filed by in-
terested parties requesting the pro-
mulgation of new Rules or the amendment
of any of the Rules set forth hereafter.

ARTICLE III
PROCEDURE AND CRITERIA FOR RATE MAKING

Rule 3.01

Types of Rates to be Established by the Director

The Director shall establish maximum rate
schedules for fees charged for check cashing
and the issuance of money orders by community
and ambulatory currency exchanges. Such
schedules of maximum fees to be established
by the Director may provide maximum fees for
community currency exchanges which may be dif-
ferent than the maximum fees for ambulatory
currency exchanges. Such schedules of maxi-
mum fees may also provide for fees for cashing

checks which are drawn by the State of Illinois for the purpose of providing financial assistance under the Illinois Public Aid Code and which are presented for payment by the properly identified Payee shown on the face thereof which fees may be different than the maximum fees for cashing all other checks.

Rule 3.02

Criteria

In establishing the maximum rate schedules set forth in Rule 3.01, the Director will consider the following criteria:

1. Rates charged in the past for these services;
2. Rates charged by banks or other business entities for rendering the same or similar services;
3. The cost and expense attributable to rendering the service and the time and effort actually expended in rendering the service;
4. Rates charged by currency exchanges or other similar institutions located in other states for the same or similar services; and
5. Such other facts which the Director deems relevant.

Rule 3.03Matters to be Considered in Setting Rates:

In establishing the maximum rate schedules set forth in Rule 3.01, the Director shall consider the oral and written submissions of interested parties as set forth in Rule 3.04 herein. In addition, the Director may consider 1) any of the files, records and documents on file at the Department of Financial Institutions which have been filed or submitted by community or ambulatory currency exchanges pursuant to the Currency Exchange Act (Illinois Revised Statutes, Chapter 16 1/2; §§ 30ff), 2) any audit or examination reports of currency exchanges on file at the Department prepared by the Department pursuant to the Currency Exchange Act (Illinois Revised Statutes, Chapter 16 1/2; § 30ff) and 3) generally recognized technical facts within the Department's specialized knowledge relating to community and ambulatory currency exchanges.

Rule 3.04Oral and Written Submissions Allowed:

All interested persons may submit data, views, comments or arguments with respect to

the maximum rate schedules to be established pursuant to Rule 3.01; and these submissions may be made either orally or in writing or both provided that such submissions comply with the requirements of these Rules.

Rule 3.05

Procedure for Oral Submissions

Section 1
Public Hearings

The Director shall conduct public hearings on the establishment, revision or modification of the maximum rate schedules described in Rule 3.01. The first of these hearings will be conducted on January 9 and 10, 1978, from 9:00 AM to 12:30 PM and from 1:30 PM to 5:00 PM in Room 1818, State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois. The next such hearing will be conducted in February of 1979 and thereafter hearings will be conducted annually in the month of February. Notification of the exact date or dates, times and location of the annual

February hearings will be published in the Illinois Register at least forty-five (45) days prior to the commencement of the first day of the hearings.

Section 2
Manner of Making Oral Submissions
at Public Hearings

Any interested person who gives timely notice to the Director of his intention to do so as set forth in Section 3 of Rule 3.05 may orally submit data, views, comments or arguments by testifying under oath at the public hearings with respect to the maximum rate schedules to be established by the Director.

Section 3
Notice of Intention to
Testify at Public Hearings

Any interested party wishing to testify under oath at the public hearings and submit data, views, arguments or comments on the maximum rate schedules to be established by the Director must give written notice to the Director of his or her intention to do so at least five (5) days prior to the commence-

ment of rate-making hearings. Such notice may be filed in person or by mail with the Director of the Department of Financial Institutions either at The State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois 60601, or at 227 South Seventh Street, Springfield, Illinois 62706. Such notice must be received by the Director no later than 5:00 PM on the fifth day preceding the commencement of the hearing. In the event that the deadline for the filing of such notice falls on a day when the Department is not open for business, then the deadline will be extended to the next available date on which the Department is open for business. Any person failing to file timely notice under this Section will not be permitted to testify at the public hearings. However,

any interested person who fails to file timely notice under this Section, shall not be precluded from submitting his or her views, comments, data or arguments in writing in accord with the requirements of Rule 3.06. With respect to the rate-making hearings scheduled to take place on January 9 and 10, 1978, any interested person wishing to orally offer views, comments, data or arguments by testifying under oath at said hearings must file notice of his or her intention to do so with the Director as previously set forth no later than 5:00 PM on January 4, 1978.

Section 4
Availability of
Transcript of Proceedings

The proceedings of the public rate-making hearings shall be recorded and a transcript of the proceedings will be made available to any person at his or her cost and expense. Orders for such a transcript should be placed directly with the reporting service responsible for recording the proceedings.

Section 5
Questioning of
Persons Testifying

The Director, or any person designated by the Director to assist him in the conduct of the public hearings pursuant to Rule 3.07, may ask questions of persons testifying at said hearings.

Rule 3.06

Procedure for Filing Written Submissions

In addition to or in lieu of offering oral testimony as previously described, any interested person may submit his or her views, comments, data or arguments on the maximum rate schedules to be established by the Director in writing by filing said written submission with the Director by no later than 5:00 PM of the last day of the scheduled public hearings. Such written submissions may be filed in person or by mail with the Director of the Department of Financial Institutions either at the State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois 60601, or 227 South Seventh Street, Springfield, Illinois 62706. Such written submissions must be received

by the Director no later than 5:00 PM of the last day of the scheduled rate-making hearings. Any written submission which is not timely filed will not be considered by the Director in establishing the maximum rate schedules. With respect to the rate-making hearings scheduled to take place on January 9 and 10, 1978, any interested person wishing to submit views, comments, data or arguments in writing must do so as previously set forth by no later than 5:00 PM on January 10, 1978.

Rule 3.07

Persons Authorized to Assist Director

The Director may seek and contract for legal or technical assistance and advice with persons, partnerships, corporations or businesses who are not employees of the Department in connection with the conduct of the rate-making hearings and the establishment of the maximum rate schedules. The Director may designate any such person or persons and one or more employees of the Department to assist him

in the conduct of the public hearings as previously set forth and in the establishment of the maximum rate schedules.

Rule 3.08

Filing and Effective Date of Maximum Rate Schedules

With respect to the rate-making hearings scheduled to take place on January 9 and 10, 1978, the Director will issue and adopt maximum rate schedules for check cashing and writing of money orders and file said rate schedules with the Rules Section of the Index Department of the Secretary of State in Springfield, Illinois on January 23, 1978. Said rates will be effective on February 2, 1978.

With respect to the future revision, modification, amendment or repeal of the maximum rate schedules pursuant to the public hearings to be conducted annually in February of each year commencing in 1979, the Director will file such revisions, modifications, amendments or repeals, as the case may be, with the Rules Section of the Index Department of the Secretary of State in Springfield by no later than sixty (60) days

after the last day of the public hearings, provided that if this be a day on which the Rules Section of the Index Department of the Secretary of State is not open for business, then such filing will take place on the next available day on which said Rules Section is open for business. Any revisions, modifications, amendments or repeals of the maximum rate schedules will be effective ten (10) days after such filing.

Rule 3.09Rates and Rules of Practice and Procedure
Available for Public Inspection

These Rules and any maximum rate schedules, or any revisions, modifications, amendments or repeal thereof, will be available for public inspection at all times on any day the Department of Financial Institutions is open for business at the offices of the Department located either at The State of Illinois Building 160 North LaSalle Street, Chicago, Illinois 60601, or at 227 South Seventh Street, Springfield, Illinois 62706.

ARTICLE IV
PROCEDURE FOR SUBMISSION,
CONSIDERATION AND DISPOSITION
OF PETITIONS SEEKING THE PROMULGATION,
AMENDMENT OR REPEAL OF THESE RULES OF
PRACTICE AND PROCEDURE

Rule 4.01Right to Petition

Any interested person may petition the Director requesting the promulgation of a Rule or Rules of Practice and Procedure for rate-making, or for an amendment, modi-

fication, revision or repeal of any of these Rules regarding rate-making.

Rule 4.02

Form of Petition

Section 1

Petitions to be in Writing and Signed

The petition should be in writing and signed by the party requesting the promulgation, amendment, modification, revision or repeal of any of these Rules.

Section 2

Contents of Petition

The petition should set forth the following:

- a) A statement of whether the promulgation of a new Rule, or the amendment, modification, revision or repeal of a present Rule, is being sought, and
- b-1) If the petition requests the promulgation of a new Rule, the petition should set forth the full text of the suggested new Rule; or
- b-2) If the petition requests the amendment, revision or modification of an existing Rule, the petition should identify the existing Rule as to which amendment, revision or modification is being requested and should set forth the full text of the Rule as

amended, revised or modified; or

b-3) If the petition requests the repeal of an existing Rule, the petition should identify the particular Rule as to which repeal is being requested; and

c) A statement of the petitioner's reasons for requesting the promulgation, amendment, revision, modification or repeal, as the case may be.

Section 3 Filing of Petition

Such petition may be filed in person or by mail with the Director of the Department of Financial Institutions, either at The State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois 60601 or at 227 South Seventh Street, Springfield, Illinois 62706.

Rule 4.03

Disposition of Petition

Within thirty (30) days of the receipt of the petition, the Director will notify the petitioner whether the Director will grant the petition and initiate rule-making proceedings in accord with Section 5 of the Illinois

Administrative Procedure Act (Illinois Revised Statutes, Ch. 127; §1005). If, within thirty (30) days after receipt of the petition, the Director has not initiated such rule-making proceedings, the petition shall be deemed to have been denied.

ARTICLE V
PROHIBITION AGAINST AND SANCTIONS
FOR CHARGING MORE THAN RATES SET
FORTH IN THE MAXIMUM RATE SCHEDULE

Rule 5.01

Prohibition

Upon the effective date of the maximum rate schedules established by the Director pursuant to these Rules, each and every community or ambulatory currency exchange may not charge more than the applicable maximum rates set forth on said schedules.

Rule 5.02

Sanctions

The Director may impose any of the sanctions authorized by Section 15 of the Currency Exchange Act (Illinois Revised Statutes; Ch. 16 1/2; §45) if he finds that any community or ambulatory currency exchange has violated Rule 5.01 of these Rules.

ARTICLE VI
PROCEDURE FOR CHARGING LESS THAN
APPLICABLE MAXIMUM RATES

Any currency exchange may charge lower fees than those of the applicable maximum fee schedule after filing with the Director a schedule of the fees it proposes to use. Such filing shall be made in writing with the Director of the Department of Financial Institutions in person or by mail either at The State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois 60601 or at 227 South Seventh Street, Springfield, Illinois 62706. Upon receipt of said schedule of lower fees by the Director, the currency exchange submitting the schedule may not charge more than the fees set forth on said schedule; however, that currency exchange may revert to the maximum fee schedule upon notification of the Director in writing of its intention to do so.

ARTICLE VII
REQUIREMENTS FOR DISPLAY OF FEE SCHEDULES

The rate schedules in effect for any currency exchange, whether said rate schedules are the maximum rate schedules set by the Director or the schedule of lower rates filed with the Director pursuant to Article VI of these Rules, as well as the fees charged for rendering any service authorized

by the Currency Exchange Act, shall be prominently displayed on the premises of the community currency exchange or at the location served by the ambulatory currency exchange in the following fashion:

A. In the case of a community currency exchange, each licensee shall post at all times a complete, detailed and unambiguous schedule for all of its fees for the cashing of checks, money orders and other evidences of money, the sale or issuance of money orders, and the rendering of all services authorized by the Currency Exchange Act, in a conspicuous place on its premises, so that it is clearly legible to its customers. The lettering and numerals on this schedule shall be no less than one inch in height.

B. In the case of an ambulatory currency exchange, each licensee shall post during the entire time it is servicing any location a complete, detailed and unambiguous schedule for all of its fees for the cashing of checks, money orders and other evidences of money, the sale or issuance of money orders, and the rendering of all services authorized by

the Currency Exchange Act, in a conspicuous place at the location served by it, so that it is clearly legible to its customers.

The lettering and numerals shall be no less than one inch in height.

Upon the effective date of these Rules, this Article VII supercedes Regulation 12 of the Rules and Regulations for All Community Currency Exchange Licensees which were adopted by the Director on August 13, 1973, and which became effective on September 1, 1973.

Rule 7.02

Prohibition Against Charging More Than Posted Fees

No community or ambulatory currency exchange may charge fees in excess of those posted.

Rule 7.03

Sanctions

The Director may impose any of the sanctions authorized by Section 15 of the Currency Exchange Act (Illinois Revised Statutes, Ch. 16 1/2; § 45) if he finds that any community or ambulatory currency exchange has violated Rule 7.02 of these Rules.

THE UNIVERSITY OF CHICAGO
LIBRARY
540 EAST 57TH STREET
CHICAGO, ILL. 60637